

Rex Wu
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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Lehman Brothers Holdings INC., et)	Case No.: 08-13555 (SCC)
al,)	(Jointly Administered)
Debtors.)	
)	
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)	
)	

STATEMENT: Re IN THE MATTER OF LEHMAN BROTHERS INTERNATIONAL (EUROPE)
(IN ADMINISTRATION) AND IN THE MATTER OF THE INSOLVENCY ACT OF 1986
case # 7942 of 2008 CR-2008-000012

TO THE HONORABLE SHELLEY C CHAPMAN
UNITED STATES BANKRUPTCY JUDGE:


Rex Wu respectfully states as follows:

Statement

Rex Wu hereby states that the following communication have been sent
to The Right Honourable Sir Geoffery Vos of the High Court (UK).

Respectfully Submitted,

Dated this 22nd day of July, 2020



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13th of July 2020

The Right Honourable Sir Geoffrey Voss
High Court of Justice
Business and Property Courts of England and Wales
Insolvency and Companies List (ChD)

Correspondence Re: IN THE MATTER OF LEHMAN BROTHERS INTERNATIONAL
(EUROPE) (IN ADMINISTRATION) AND IN THE MATTER OF THE INSOLVENCY ACT
OF 1986 case # 7942 of 2008 / CR-2008-000012

Dear The Right Honourable Sir Geoffrey Voss,

I am respectfully writing to inform you that it is against the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors [Docket#23023-1] which governs the Chapter 11 Lehman Brothers Holdings Inc., et al, case #08-13555(scc) bankruptcy case to pay a distributions to LBHI and/or LBHI2.

Communication has been sent to the Applicants in regards to the information. The excerpt is below:

"I wish to pass on critical information to the PWC Administrative team for your review. I am writing in regards to the "Notice of additional distribution of statutory interest in respect to LBIE's subordinate debt." LBHI and/or LBHI2's capital Stock are not entitled to receive a distribution under the "Important Covenants of Lehman Brothers Holdings" as described in the attached affidavit and letter submitted to the Honorable Judge Chapman of the US SDNY Bankruptcy Court.

I wish to inform the PWC's Administrative team that it is against the "PLAN", *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors [Docket#23023-1] which governs the Chapter 11 Lehman Brothers Holdings Inc., et al, case #08-13555(scc) bankruptcy case to pay a distribution to LBHI and/or LBHI2. The 4 Capital Trusts Prospectuses are under enforcement of the "PLAN" as explained with the attached letter and affidavit filed with the bankruptcy court:*

"The Important Covenants of Lehman Brothers Holdings", the "Covenant", states that LBHI or any of its subsidiaries are not permitted to "declare or pay any dividends or distributions on, or redeem, purchase, acquire or make a liquidation payment with respect to, any of Lehman Brothers Holding's capital stock" or make any payments of principal, interest or premium, or redeem any debt securities of Lehman Brothers Holdings that rank on a parity with or in junior in

interest to the junior subordinated debt securities or make any guarantee payments with respect to any guarantee by Lehman Brothers Holdings of the debt securities of any subsidiary of Lehman Brothers Holdings if such guarantee ranks on a parity with or junior in interest to such junior subordinated debt securities.....”

LBHI’s Capital Trust shares are also in parity with the most senior preference shares of LBHI and/or any of its affiliates. This means that in order for the “Plan” to be in conformity with the bankruptcy, any transaction that involves LBHI or its subsidiaries must conform with the Covenant and all the provisions within the Guarantee. The LBHI Capital Trust shares are in parity with the most senior preference shares of LBHI or any of its affiliates.

The LBHI Plan Administrator, LBHI as Debtor as well as the Honorable Judge Chapman are fully aware of the “Important Covenant of Lehman Brothers Holdings” and all the guarantee provisions. I want to bring the “Covenants” which are under the guarantee to your attention to allow the PWC Administrative team to make an informed decision.

As Applicants going into the “Notice to Application to Court for Directions in Respect of Future Distribution” hearing please be aware of the enforceability of the “Covenants” and the guarantee under the “PLAN.” A similar communication will be sent to Mr. Justice Hildyard.

The “PLAN” is on docket # 23023-1 and the 4 prospectuses are provided below are for the PWC Administrative team and their legal department to review.

The Prospectuses are available on the link below for your review.

https://1drv.ms/u/s!AmfTSbPoXmy3kBN_gjiUZeN3X8bb?e=8kM11i

Thank you for your attention to the matter.”

Thank you,

Respectfully Submitted,

/s/ Rex Wu

Rex Wu

From: Rex W

Sent: Wednesday, July 1, 2020 11:49 PM

To: generalqueries@lbia-eu.com

Subject: Critical Information Regarding LBHI AND LBHI2 Pertaining to the LBI Distribution

Importance: High

Dear Applicants of the PWC Administrative Team,

I wish to pass on critical information to the PWC Administrative team for your review. I am writing in regards to the "Notice of additional distribution of statutory interest in respect to LBIE's subordinate debt." LBHI and/or LBHI2's capital Stock are not entitled to receive a distribution under the "Important Covenants of Lehman Brothers Holdings" as described in the attached affidavit and letter submitted to the Honorable Judge Chapman of the US SDNY Bankruptcy Court.

I wish to inform the PWC's Administrative team that it is against the "PLAN", *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors [Docket#23023-1] which governs the Chapter 11 Lehman Brothers Holdings Inc., et al, case #08-13555(scc)* bankruptcy case to pay a distribution to LBHI and/or LBHI2. The 4 Capital Trusts Prospectuses are under enforcement of the "PLAN" as explained with the attached letter and affidavit filed with the bankruptcy court:

"The Important Covenants of Lehman Brothers Holdings", the "Covenant", states that LBHI or any of its subsidiaries are not permitted to "declare or pay any dividends or distributions on, or redeem, purchase, acquire or make a liquidation payment with respect to, any of Lehman Brothers Holding's capital stock" or make any payments of principal, interest or premium, or redeem any debt securities of Lehman Brothers Holdings that rank on a parity with or in junior in interest to the junior subordinated debt securities or make any guarantee payments with respect to any guarantee by Lehman Brothers Holdings of the debt securities of any subsidiary of Lehman Brothers Holdings if such guarantee ranks on a parity with or junior in interest to such junior subordinated debt securities....."

LBHI's Capital Trust shares are also in parity with the most senior preference shares of LBHI and/or any of its affiliates. This means that in order for the "Plan" to be in conformity with the bankruptcy, any transaction that involves LBHI or its subsidiaries must conform with the Covenant and all the provisions within the Guarantee. The LBHI Capital Trust shares are in parity with the most senior preference shares of LBHI or any of its affiliates.

The LBHI Plan Administrator, LBHI as Debter as well as the Honorable Judge Chapman are fully aware of the "Important Covenant of Lehman Brothers Holdings" and all the guarantee provisions. I want to bring the "Covenants" which are under the guarantee to your attention to allow the PWC Administrative team to make an informed decision.

As Applicants going into the "Notice to Application to Court for Directions in Respect of Future Distribution" hearing please be aware of the enforceability of the "Covenants" and the guarantee under the "PLAN." A similar communication will be sent to Mr. Justice Hildyard.

The "PLAN" is on docket # 23023-1 and the 4 prospectuses are provided below are for the PWC Administrative team and their legal department to review.

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Thank you for your attention to the matter.

Best Regards,

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Email: rex_wu@live.com
Pro-Se

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

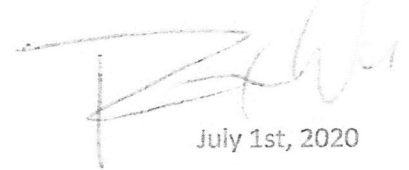
In Regards: Chapter 11 LEHMAN BROTHERS HOLDINGS INC., et al., Case # 08-13555 (SCC)

Affidavit: LBHI and LBHI2 Distributions RE Important Covenants to Lehman Brothers Holdings
Communication

I attest the following email communication were sent to the following recipients:

1. Matthew Cantor via email communication: matthew.cantor@lehmanholdings.com
2. Kristine Dickson via email communication: kristine.dickson@lehmanholdings.com
3. Garrett Falls via email communication: garrett.falls@wells.com

Respectfully Submitted,



July 1st, 2020

Rex Wu
6315 N Campbell
Chicago, IL 60659
312-785-0348
rex_wu@live.com
Pro-Se

From: Rex W

Sent: Wednesday, July 1, 2020 10:23 AM

To: matthew.cantor@lehmanholdings.com; kristine.dickson@lehmanholdings.com; Fail, Garrett

Subject: Distribution to LBHI2

Greetings,

I want to bring to your attention that any distributions to LBHI or LBHI2 will be in violation of the "PLAN" as long as the Lehman Brothers Capital Trusts III, IV, V and VI preferred shares are outstanding. The current LBHI equity have ownership interest in LBHI2. The upcoming distribution to LBHI or LBHI2 can only be reallocated according to the "PLAN" after the distribution is assigned to LBHI's equity. The reallocation does not really matter anyhow as equity retained all its rights. Under the "Important Covenants of Lehman Brothers Holdings" in which LBHI and the Plan Administrator are fully aware of its existence, LBHI and/or its subsidiaries are not allowed to issue a distribution to LBHI as long as LBHI Capital Trusts III, IV, V and VI are outstanding. For your convenience, the definition of outstanding is below:

"Shares outstanding refer to a company's stock currently held by all its shareholders, including share blocks held by institutional investors and restricted **shares** owned by the company's officers and insiders."

The Guarantees of the LBHI Capital Trusts as mentioned above which includes the "Important Covenants of Lehman Brothers Holdings" are valid and effective under the "PLAN" states the following:

"The Important Covenants of Lehman Brothers Holdings", the "Covenant", states that LBHI or any of its subsidiaries are not permitted to "declare or pay any dividends or distributions on, or redeem, purchase, acquire or make a liquidation payment with respect to, any of Lehman Brothers Holding's capital stock" or make any payments of principal, interest or premium, or redeem any debt securities of Lehman Brothers Holdings that rank on a parity with or in junior in 2 interest to the junior subordinated debt securities or make any guarantee payments with respect to any guarantee by Lehman Brothers Holdings of the debt securities of any subsidiary of Lehman Brothers Holdings if such guarantee ranks on a parity with or junior in interest to such junior subordinated debt securities....."

LBHI's Capital Trust shares are also in parity with the most senior preference shares of LBHI and/or any of its affiliates. This means that in order for the "Plan" to be in conformity with the bankruptcy, any transaction that involves LBHI or its subsidiaries must conform with the Covenant and all the provision within the Guarantee. The LBHI Capital Trust shares are in parity with the most senior preference shares of LBHI or any of its affiliates. The LBHI Capital Trust shares are not subordinated to the senior preference shares of LBHI or any of LBHI's affiliates. They are only subordinated to the debts of LBHI and not equity." (Docket# 60685)

The correspondence to the Honorable Judge Chapman is attached.

LBHI and the PLAN Administrator have to obligation to enforce the "PLAN."

Best Regards,

Rex Wu

312-785-0348

Sent from [Mail](#) for Windows 10